



## DEFENSE LOGISTICS AGENCY

ENERGY

8725 JOHN J. KINGMAN ROAD  
FORT BELVOIR, VIRGINIA 22060-6221

Mr. Adam W. Cook  
Birch Horton Bitnner & Cherot  
510 L Street, Suite 700  
Anchorage, AL 99501

Dear Mr. Cook:

This letter is in response to your Freedom of Information Act request received on August 20, 2018, for a copy of written communications and other documents possessed by the Defense Logistics Agency – Energy (“DLA”) or entities under DLA control, relating to contract SP0600-07-C-8262 (the “Contract”), a contract between the United States of America (“the Government”) and Doyon Utilities, LLC (“DU”). That contract was for DU ownership, operation, and maintenance of electrical distribution, natural gas distribution, potable water distribution, and wastewater collection systems and infrastructure at Fort Richardson, Alaska (now known as Joint Base Elmendorf Richardson).

The records are withheld in full pursuant to the FOIA, 5 U.S.C. §552(b)(5), internal memorandums, deliberative process, and attorney client communications; and 5 U.S.C. §552(b)(6), personal privacy.

The FOIA, 5 U.S.C. §552 (b)(5), protects internal operations and inter-agency material which is pre-decisional and deliberative, communications protected by the attorney-client privilege and communications protected by the attorney work product doctrine. 5 U.S.C. §552(b)(6) protects the privacy interests of employees who are at or below the directorate level or are not in the public domain. DU is not requesting records that are already in its possession. The remaining DLA Energy internal communications and records, and the names of individuals, should be withheld in full.

Below is a matrix of the items requested and the exemptions applied to the records:

SP0600-07-C-8262	Number of Pages and Type of Exemption applied to the records.
1. All correspondence, memoranda or other documents (including but not limited to e-mail correspondence) dealing with or relating to the purchase of landfill gas by DU from the Municipality of Anchorage (“MOA”), written or prepared by DLA or Government personnel for the period 1 January 2012 to the present.	1500 pages / not releasable (b)(5), and (b)(6)
2. All correspondence, memoranda, or other documents (including but not limited to e-mail correspondence) dealing with or relating to reimbursement of DU by DLA following the purchase of landfill gas by DU from MOA, written or prepared by DLA or Government personnel for the period 1 January 2012 to the present.	

3. All correspondence, memoranda, or other documents (including but not limited to e-mail correspondence) dealing with or relating to Modification P00097 to the Contract (dated 30 September 2013), written or prepared by DLA or Government personnel for the period January 1, 2013 to the present.	
4. All correspondence, memoranda, or other documents (including but not limited to e-mail correspondence) dealing with or relating to Modification P00105 to the Contract (dated 30 July 2014), written or prepared by DLA or Government personnel for the period January 1, 2014 to the present.	
5. All correspondence, memoranda, or other documents (including but not limited to e-mail correspondence) dealing with or relating to Modification P00117 to the Contract (dated 29 December 2014), written or prepared by DLA or Government personnel for the period January 1, 2014 to the present.	
6. All correspondence, memoranda, or other documents (including but not limited to e-mail correspondence) dealing with or relating to the preparation of contract line items ("CLINs") to the Contract in order to fund the purchase of landfill gas by DU from MOA, written or prepared by DLA or Government personnel for the period January 1, 2012 to the present.	

You have the right to appeal this denial. An appeal must be made in writing to DLA FOIA Public Liaison within 90 calendar days from the date of this letter, and no later than 5:00 pm Eastern Standard Time. The appeal should include your reasons for reconsideration and enclose a copy of this letter. An appeal may be submitted at <https://foiaonline.gov/foiaonline/action/public>, emailed to [FOIA.liaison@dla.mil](mailto:FOIA.liaison@dla.mil) or mailed. Appeals are to be addressed to the Information Governance and Compliance Office, Defense Logistics Agency, Suite 1552, ATTN: J67C (FOIA/PA), 8725 John J. Kingman Road, Fort Belvoir, Virginia 22060-6221.

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services. Similarly, as part of the FOIA Improvement Act of 2016, DLA established a FOIA Public Liaison to offer mediation services. Both OGIS and the DLA Public Liaison will assist in resolving disputes between FOIA requesters and DLA as a non-exclusive alternative to appeal. Using OGIS or the DLA FOIA Public Liaison does not affect your right to pursue appeal nor does it stay the appeal clock. You may contact OGIS or the DLA Public Liaison in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 202-741-5770  
Facsimile: 202-741-5769  
Toll-free: 1-877-684-6448

DLA FOIA Public Liaison  
Lewis Oleinick, CIPP/US/G  
Defense Logistics Agency  
Suite 1552, ATTN: J67C (IGC)  
8725 John J. Kingman Rd.  
Fort Belvoir, VA 22060-6221  
571-767-6194 (w)  
[FOIA.Liaison@dla.mil](mailto:FOIA.Liaison@dla.mil)

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Miller', with a long horizontal line extending to the right.

ALBERT G. MILLER  
Brigadier General, USAF  
Commander